The Honorable Marsha J. Pechman 1 2 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 3 AT SEATTLE 4 YOLANY PADILLA, IBIS GUZMAN, BLANCA ORANTES, BALTAZAR VASQUEZ, No. 2:18-cy-928 MJP 5 Plaintiffs-Petitioners, v. 6 **JOINT STATUS** REPORT AND ORDER 7 U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT ("ICE"); OF FOR FURTHER STATUS U.S. DEPARTMENT HOMELAND 8 SECURITY ("DHS"); U.S. CUSTOMS AND BORDER REPORTS PROTECTION ("CBP"); U.S. CITIZENSHIP 9 IMMIGRATION SERVICES ("USCIS"); EXECUTIVE OFFICE FOR IMMIGRATION REVIEW ("EOIR"); NOTE ON MOTION 10 MATTHEW ALBENCE, Acting Director of ICE; KEVIN CALENDAR: SEPTEMBER 2, 11 MCALEENAN, Acting Secretary of DHS; MARK 2022. MORGAN, Acting Commissioner of CBP; KEN 12 CUCCINELLI, Acting Director of USCIS; MARC J. MOORE, Seattle Field Office Director, ICE, WILLIAM 13 BARR, United States Attorney General; LOWELL CLARK, warden of the Northwest Detention Center in Tacoma, 14 Washington; CHARLES INGRAM, warden of the Federal Detention Center in SeaTac, Washington; DAVID SHINN, 15 warden of the Federal Correctional Institute in Victorville, 16 California; JAMES JANECKA, warden of the Adelanto Detention Facility; 17 Defendants-Respondents. 18 19 The parties hereby respond to this Court's order of July 29, 2022 (ECF no. 183), and advise 20 the following. 21 The parties have discussed the next steps in this litigation over email and over the phone, 22 and those discussion continue. The parties have concluded that exploring settlement of the credible 23 fear claims in this case may be fruitful at this time. The parties are planning to have a preliminary 24 settlement discussion before determining whether this matter should be referred to mediation. 25

Thus, the parties request that this Court set a deadline to provide a further status report to the Court

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| 1  | in four weeks (to and including Friday, September 30, 2022) so they can propose a path forward         |
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| 2  | for settlement discussions or propose the next steps for the litigation. Accordingly, the parties have |
| 3  | attached a proposed order to that effect.  |
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| 1  | RESPECTFULLY SUBMITTED this 2nd day of September, 2022.                               |  |  |
|----|---|--|--|
|    | s/ Matt Adams   | Trina Realmuto*  |  |
| 2  | Matt Adams, WSBA No. 28287  | Kristin Macleod-Ball *   |  |
| 3  | Email: matt@nwirp.org   | NATIONAL IMMIGRATION   |  |
| 4  | Aaron Korthuis, WSBA No. 53974  | LITIGATION ALLIANCE  |  |
| 5  | Email: <u>aaron@nwirp.org</u>   | 10 Griggs Terrace  |  |
|    | NORTHWEST IMMIGRANT   | Brookline, MA 02446<br>(617) 819-4447  |  |
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| 7  | 615 Second Avenue, Suite 400  |  |  |
| 8  | Seattle, WA 98104<br>Telephone: (206) 957-8611  |  |  |
| 9  | Facsimile: (206) 587-4025   | Judy Rabinovitz*   |  |
| 9  | Attorneys for Plaintiffs-Petitioners  | Michael Tan*   |  |
| 10 |   | Anand Balakrishnan*  |  |
| 11 |   | ACLU IMMIGRANTS' RIGHTS  |  |
| 12 |   | PROJECT  |  |
|    |   | 125 Broad Street, 18th floor<br>New York, NY 10004   |  |
| 13 |   | (212) 549-2618   |  |
| 14 |   | *Admitted pro hac vice   |  |
| 15 |   | Admitted pro nac vice  |  |
| 16 |   |  |  |
|    |   |  |  |
| 17 |   |  |  |
| 18 | BRIAN M. BOYNTON  | /s/ Lauren C. Bingham  |  |
| 19 | Principal Deputy Assistant Attorney General Civil Division                            | LAUREN C. BINGHAM, Fl. Bar #105745   |  |
| 20 | CIVII DIVISIOII   | Senior Litigation Counsel, District Court Section  |  |
| 21 | WILLIAM C. PEACHEY  | Office of Immigration Litigation   |  |
|    | Director, District Court Section Office of Immigration Litigation                     | Civil Division P.O. Box 868, Ben Franklin Station  |  |
| 22 | Office of miningration Engation   | Washington, DC 20044   |  |
| 23 | EREZ REUVENI  | (202) 616-4458; (202) 305-7000 (fax)   |  |
| 24 | Assistant Director, District Court Section Office of Immigration Litigation           | lauren.c.bingham@usdoj.gov   |  |
| 25 | SARAH S. WILSON   |  |  |
| 26 | Assistant Director, Appellate Section   | Attorneys for Defendants-Respondents   |  |
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| 1        | ORDER   |
|----------|---|
| 2        | Based on the foregoing stipulation of the parties, IT IS SO ORDERED. The parties are            |
| 3        | required to submit a further status report on or before Friday, September 30, 2022 to propose a |
| 4        | path forward for settlement discussions or propose the next steps for the litigation            |
| 5        |   |
| 6        | DATED this 6th day of Soutombon 2022  |
| 7        | DATED this 6th day of September, 2022.  |
| 8        | $\gamma$ . $M$ .  |
| 9        | Maesley Helens  |
| 10       | THE HONORABLE MARSHA J. PECHMAN<br>UNITED STATES DISTRICT JUDGE                                 |
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|          | IOINT STATUS DEPORT   |

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